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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

**Shai FULTHEIM et al**

Group Art Unit: **2128**

Serial No: **10/828,465**

Examiner: **Fred O. Ferris III**

Filed : **April 21, 2004**

For : **CLUSTER BASED OPERATING SYSTEM-  
AGNOSTIC VIRTUAL COMPUTING SYSTEM**

**COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attorney for applicant encloses two documents signed by the applicants that appoint our firm, Hoffman, Wasson & Gitler, of Arlington, VA 22202, as attorneys of record. The documents are (1) a Statement Under 37 CFR 3.73(b) signed by the President of Scalemp, Inc., the assignee of record, and (2) a Revocation of Power of Attorney and Appointment of New Attorneys executed by Shai Fultheim, President of Scalemp, Inc.

Please direct all future correspondence to the new attorneys of record.

Respectfully submitted,

by Martin P. Hoffman  
Martin P. Hoffman  
Reg. No. 22,261

February 6, 2008

HOFFMAN, WASSON & GITLER, P.C.  
2461 South Clark Street  
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Arlington, VA 22202  
703.415.0100

Attorney's Docket: **A-10799.COM/cat**

DEC. 28. 2007 4:30PM HOFFMAN\_WASSON&amp;GITLER

NO. 3865 P. 2 49563



Doc Code:

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Approved for use through 12/31/2008. OMB 0651-0038

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	10/828,465
Filing Date	April 21, 2004
First Named Inventor	Shari Fultheim
Art Unit	
Examiner Name	
Attorney Docket Number	

I hereby revoke all previous powers of attorney given in the above-identified application:

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

20741

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with  
Customer Number:

20741

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	ZIP	
Country			
Telephone	Email		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature	x [Signature]		
Name	x Shari Fultheim		
Date	1/2/2008	Telephone	408-342-0333

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22312-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22312-1460.

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NO. 3865 P. 3 49562



PTO/SB/06 (04-07)  
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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Shai Fultheim, Herb Zlotogorski and Yaniv RomemApplication No./Patent No.: 10/828,465Filed/Issue Date: 04/21/2004Entitled: **CLUSTER-BASED OPERATING SYSTEM-AGNOSTIC VIRTUAL COMPUTING SYSTEM**Scalemp, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
 (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015231, Frame 0977, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

x Shai Fultheim  
 Signature

x 11/2/2008  
 Date

x Shai Fultheim  
 Printed or Typed Name

408-342-0333  
 Telephone number

x President & Founder  
 Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22312-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450.

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